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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,729	03/06/2002	Bernard A. Raad	28642/92477	8059

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EXAMINER

RILEY, SHAWN

ART UNIT PAPER NUMBER

2838

DATE MAILED: 09/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/091,729	RAAD, BERNARD A.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Shawn Riley	2838	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-22 is/are allowed.
- 6) ☒ Claim(s) 1 and 23 is/are rejected.
- 7) ☒ Claim(s) 2 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Claim Rejections - 35 U.S.C. § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 23 are rejected under 35 U.S.C. §102(b) as being fully anticipated by Dhyanchand et al. (U.S. Patent 5,281,905). Dhyanchand et al. shows,<sup>1</sup> (in, e.g., the(ir) figures 1 and 2 and corresponding disclosure)

As to claim 1;

A power and start system for use with an engine, the engine including a shaft systems requiring AC power, and systems requiring DC power, the power and start system operating in at least a generate mode and a start mode, the power and start system comprising: an AC/DC starter/generator (44) mechanically coupled to rotate in response to rotation of the engine shaft (60) in generate mode to produce AC and DC power and to rotate the shaft of the engine when in start mode (column 4 lines 16-21); a generator control unit (80/160) electrically coupled to the AC/DC starter/generator and the systems requiring DC power; and a start inverter (140) configured to be coupled to a DC power

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<sup>1</sup> Note claims will be addressed individually and the material in parentheses are the examiner's annotated comments. Further unless needed for clarity reasons, recited limitation(s), will be annotated only upon their first occurrence. Annotated claims begin with the phrase "As to claim". Claims that are not annotated are seen as having already had the invention(s) addressed previously in an annotated claim. Bolded words/phrases indicate rejected material based 112 paragraph rejections. Underlined words/phrases indicate objected to material.

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source (124), the start inverter being coupled to the AC/DC starter/generator to provide power for start mode operation.

For method claim 23, note that under MPEP 2112.02, the principles of inherency, if a prior art device, in its normal and usual operation, would necessarily perform the method claimed, then the method claimed will be considered to be anticipated by the prior art device. When the prior art device is the same as a device described in the specification for carrying out the claimed method, it can be assumed the device will inherently perform the claimed process. In re King, 801 F.2d 1324, 231 USPQ 136 (Fed. Cir. 1986). Therefore the previous rejections based on the apparatus will not be repeated.

23. A method of providing power to an engine having a shaft, systems requiring AC power, and systems requiring DC power, comprising: providing an AC/DC starter/generator mechanically coupled to the engine shaft; providing a generator control unit electrically coupled to the AC/DC starter/generator and the systems requiring DC power; providing a start inverter coupled to a DC power source, the start inverter being coupled to the AC/DC starter/generator to provide power for start mode operation; rotating the AC/DC starter/generator in response to rotation of the engine shaft to generate AC and DC power; activating the AC/DC starter/generator to rotate the shaft of the engine to start the engine.

#### *Allowable Subject Matter*

3. Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. Claims 3-22 are allowable over the prior art of record.

5. The following is an examiner's statement of reasons for allowance: No prior art uncovered anticipates or renders obvious applicant(s) claimed a first controllable contactor coupled to the start inverter; a second controllable contactor coupled to the systems requiring AC

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power; and a third controllable contactor coupled to the systems requiring DC power. Further, no prior art uncovered anticipates or renders obvious applicant(s) claimed a start inverter being selectively couplable to the DC power source; and a controller coupled to the system for selectively controlling the coupling and uncoupling of at least the first and second starter/generators, the start inverter, and the DC power source.

Further, no prior art uncovered anticipates or renders obvious applicant(s) claimed a first DC power source selectively couplable to the first and second AC/DC starter/generator and the first systems requiring DC power; a second DC power source selectively couplable to the third and fourth AC/DC starter/generator and the second systems requiring DC power; a first start inverter being selectively couplable to the first DC power source; a second start inverter being selectively couplable to the second DC power source; and a controller coupled to the system for selectively controlling the coupling and uncoupling of at least the first, second, third and fourth starter/generators, the first and second start inverters, and the first and second DC power sources.

6. As allowable subject matter has been indicated, applicant's response must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 C.F.R. § 1.111(b) and section 707.07(a) of the M.P.E.P.

### *Conclusion*

Any inquiry from other than the applicant/attorney of record concerning this communication or earlier communications from the Examiner should be directed to the Patent Electronic Business Center (EBC) at 1.866.217.9197. Any inquiry from a member of the press concerning this communication or earlier communications from the Examiner or the application should be directed to the Office of Public Affairs at 703.305.8341. Any inquiry from the applicant or an attorney of record concerning this communication or earlier communications

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from the Examiner should be directed to Examiner Riley whose telephone number is 571.272.2083. The Examiner can normally be reached Monday through Thursday from 7:30-6:00 p.m. Eastern Standard Time. The Examiner's Supervisor is Mike Sherry who can be reached at 571.272.2084. Any inquiry about a case's location, retrieval of a case, or receipt of an amendment into a case or information regarding sent correspondence to a case **should be directed to 2800's Customer Service Center** at 571.272.2815. Any papers to be sent by fax MUST BE sent to fax number 703.872.9306. Any inquiry of a general nature of this application should be **directed to the Group receptionist** whose telephone number is 571.272.2800. Status information of cases may be found at <http://pair-direct.uspto.gov> wherein unpublished application information is found through private PAIR and published application information is found through public PAIR. Further help on using the PAIR system is available at 1.866.217.9197 (Electronic Business Center).

September 04



*Shawn Riley*  
*Primary Examiner*